

# Afghanistan

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## Freedom of the Press

Conditions for media freedom continued to improve in 2013 due to a vibrant and diverse information landscape, the growing professionalization of journalists, and a decrease in legal harassment and censorship. However, the number of violent attacks against journalists increased in 2013 compared with the previous year. The media continue to face challenges including some instances of censorship, widespread insecurity, a lack of physical and legal protection, and the government's failure to pass a long-awaited law on access to information.

Article 34 of the constitution allows for freedom of the press and of expression, and the 2009 Mass Media Law guarantees the right of citizens to obtain information and prohibits censorship. However, there are broad restrictions on any content that is seen as "contrary to the principles of Islam or offensive to other religions and sects." Cases involving journalists are supposed to be handled by a commission devoted to media issues, but the legal framework in general is ambiguous, leading to confusion in practice. Four media laws have been approved since 2002, and since many journalists are unsure as to which protections apply in different circumstances, they often engage in self-censorship to avoid violating cultural norms or offending local sensitivities. Article 130 of the constitution stipulates that courts and Islamic jurists can rule on cases "in a way that attains justice in the best manner," allowing for further ambiguity and discriminatory rulings.

There were several instances of legal harassment of journalists in 2013. In February, an arrest warrant was issued for the famed poet and social critic Partaw Naderi, though the attorney general flouted proper procedures for the procurement of a warrant against a media figure. In July, Abdolrahman Sakhizadeh, a journalist for the *Mandegar* newspaper, was arrested as the result of a libel complaint by the head of Afghanistan's anticorruption department over Sakhizadeh's reporting on alleged corruption within the unit. He was released on bail after two weeks, but the matter was still pending at year's end. In the same month, Sakhizadeh's editor, Nazari Paryani, was sentenced in absentia to 30 months in prison over a separate complaint related to his reporting on alleged fraud during the 2009 presidential election. Paryani claimed he was never told about the trial and filed an appeal, which remained unresolved at the end of 2013.

Afghanistan has yet to pass a freedom of information law. The cabinet published a draft bill in 2013, but it was not immediately submitted to the parliament. Media and civil society organizations again urged the government to pass such a law, which would ensure the right to access public information and provide a functional mechanism for obtaining it.

The Media Violation Investigation Commission (MVIC) was established in 2005 and tasked with the investigation of alleged violations of Afghan media law. The 2009 Mass Media Law stipulated that the MVIC be dissolved and replaced with a Mass Media Commission (MMC), which was to be composed of experienced journalists and would also investigate complaints brought by the media. But the MMC was never formed, and the MVIC continued to function without representation from journalists and civil society. In 2013, Minister of Information and Culture Sayed Makhdoom Raheen tried to legalize this de facto arrangement by introducing amendments to the 2009 law that would establish a new Media Complaints Commission (MCC), performing the same functions as the MVIC, with himself as chairman. Most of the amendments were adopted by both houses of parliament, but the upper house rejected the proposal.

designating the information minister as chair and ordered a special commission to be formed to suggest alternatives. The dispute was ongoing at year's end. In a positive development, journalists and journalists' associations have assumed a growing role in speaking out to protest press freedom violations and draw attention to challenges faced by working journalists, including labor conditions and unfair dismissals.

Censorship and shutdowns of media outlets continued to be a problem in 2013. In February, police in Zabul Province detained Taymour Shah Sahzadeh, manager of Radio Galat Jagh, and the station's broadcasts were suspended at the behest of the provincial governor in reprisal for a report on local corruption. In the same month, Radio Nassim in Daykundi Province was also pressured by authorities over its corruption reporting, with the governor banning official cooperation with the station and demanding that it reveal its sources. In April, President Hamid Karzai ordered the Ministry of Information and Culture to censor broadcasts that were "contrary to Islamic values and the values of Afghan society." In July, the local radio station Saday-e-Bano (Voice of Woman) in Sar-e Pol Province was shuttered after its managers refused to pay bribes to government officials.

The ongoing military conflict has entailed serious threats against journalists from various state and nonstate actors, and physical security remains an issue of great concern. According to Nai, an Afghan organization that supports free media, 76 cases of violence against journalists were reported in 2013, compared with 69 in 2012. Another group, the Afghanistan Journalists Center (AFJC), registered 84 cases. The violence included injuries, beatings, insults, and threats, with most attributed to security and civilian officials as well as politicians. In February, 10 journalists were attacked by security forces while attempting to cover a suicide bombing at the Nangarhar provincial security headquarters in Jalalabad. In April, the Taliban rebel movement engaged in a vigorous intimidation campaign against Afghan journalists, threatening two well-known print and radio figures and claiming responsibility for the attempted assassination of a third. And in November, unknown gunmen infiltrated the offices of Radio Hamisheh Bahar, assaulting security guards and intimidating the staff into suspending broadcasts. The Committee to Protect Journalists (CPJ) recorded no work-related killings of journalists for the year. However, impunity remains a problem; Afghanistan ranked sixth on CPJ's 2013 Global Impunity Index for failing to solve five murders of journalists from the previous decade.

Conditions for foreign journalists are also perilous. The majority of international media organizations are headquartered in Kabul, which remains a dangerous place for journalists in terms of the frequency of threats and violence. In April 2013, the French photojournalist Pierre Borghi escaped captivity after being kidnapped by militants in Kabul in late 2012. Large parts of the country are difficult to access and report from due to the security situation.

The Taliban directly threatened media organizations and journalists less frequently in 2013 than in the past, though they issued a few statements warning media outlets to be "accurate" in reporting about the Taliban and to check with the official spokesman regarding coverage of the group. As seen in previous years, the Taliban actively engaged in the media sphere in 2013, regularly updating their website and issuing a number of statements, press releases, and "corrections" or "explanations" to rebut or clarify media coverage.

The media landscape is saturated, with around 65 local and national television channels, 174 radio stations, 200 print outlets, and 12 news agencies operating in 2013. Radio is still the main source of news and information for most Afghans, especially in the rural areas, though television is making significant inroads, as ownership of sets has risen. Newspaper readership is low, mainly due to the nation's poor literacy rate of about 34 percent. Other factors affecting readership of newspapers include distribution problems, competition from numerous broadcast choices, and shrinking revenue. International radio broadcasts in Dari or Pashto—such as those from the British Broadcasting Corporation (BBC), Voice of America, and Radio Free Europe/Radio Liberty—remain key sources of news for many Afghans. The

government owns some media outlets, but most are in private hands. The patterns of private ownership and funding mirror the country's disparate political and cultural forces, leading to a highly partisan media environment. Major sources of support for outlets include political parties, ethnic factions, the military, international donors, and foreign governments such as those in Iran and Pakistan, all of which are seeking influence in the country. Broadcasters that are commercially viable, such as Tolo TV, are able to exercise a greater degree of independence in their reporting.

Illiteracy and infrastructural obstacles have hampered internet penetration, with only 6 percent of the population using the medium in 2013. However, there are thousands of blogs, and use of social media, particularly Facebook and Twitter, is growing, especially among young people in urban areas. Mobile telephones are Afghanistan's principal means of communication, accessed by approximately two-thirds of the population. People are increasingly receiving news headlines on their phones, and they also use the devices to participate in call-in radio and television shows. Gradual improvements to the mobile network and falling prices have facilitated citizen journalism.

International and local media organizations have for the past decade been promoting training programs aimed at developing a genuinely independent media sector, and they have been fairly successful in this regard. However, a number of analysts have raised concern about the possible negative effects of the withdrawal of foreign combat forces from Afghanistan, due to be completed by the end of 2014, noting that parallel reductions in international funding or related economic problems could throw the country's vibrant media into a financial crisis. In 2013, some outlets had already begun cutting staffing and programming to make up for expected financial shortfalls. A few media outlets, such as the Kabul-based *Daily Khidmatgar*, closed down due to financial hardship. It is expected that with decreasing donor support, a number media outlets, especially in the provinces, will cease to function. However, financial constraints do not seem to pose as severe a threat to the successful commercial channels, as they have more diverse sources of income. In addition, coverage of the upcoming presidential election in April 2014 boosted the market and helped to sustain the majority of existing media outlets.

## **2014 Scores**

### **Press Status**

Not Free

### **Press Freedom Score**

**(0 = best, 100 = worst)**

66

### **Legal Environment**

**(0 = best, 30 = worst)**

20

### **Political Environment**

**(0 = best, 40 = worst)**

## **Economic Environment**

**(0 = best, 30 = worst)**